



WISCONSIN STATE REPRESENTATIVE

Brent Jacobson

87TH ASSEMBLY DISTRICT

Testimony in Support of Assembly Bill 65

Assembly Committee on Criminal Justice and Public Safety

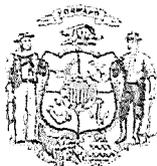
April 9th 2025

Chairman Spiros and fellow committee members, thank you for holding a public hearing on Assembly Bill 65. This bill reconciles a discrepancy in treatment between property crimes and crimes against an individual's physical security and safety.

Under current law, if a person enters a place without consent, and an intent to steal can be demonstrated, that person will face a Class F felony. This carries a penalty of up to \$25,000 in fines and up to 12 ½ years in prison. In contrast, if that person entered with the intent to beat or otherwise physically batter someone, in many cases the most they can be charged with is a misdemeanor. AB 65 offers a common-sense resolution to this disproportionate treatment by making entry with intent to commit battery also a Class F felony.

As state legislators, we have the responsibility to make sure Wisconsin's statutes adequately address crimes, and to ensure that those individuals who victimize members of our community face proportionate consequences. We owe it to victims of domestic abuse and gang-related violence to ensure that those who would commit such crimes are not subject to lesser charges than someone who is caught breaking into someone's garage to steal.

Thank you once again for your time and consideration. I respectfully ask for your support of AB 65, and I am available to answer any questions.



ANDRÉ JACQUE

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***Testimony before the Assembly Committee on
Criminal Justice and Public Safety***

Senator André Jacque

Assembly Bill 65

April 9, 2025

Chairman Spiros and Members:

Thank you for the opportunity to testify in support of Assembly Bill 65. This legislation is a reintroduction of 2023 Senate Bill 809 (Assembly Bill 926), which passed the Senate last session in a bipartisan 24-8 vote. It has been requested by prosecutors and law enforcement as a whole in order to more properly charge cases, particularly involving domestic abuse and gang-related violence.

Under current law, a person entering into any building or dwelling or certain other places with the intent to steal is guilty of a Class F felony, while entering those same locations with the intent to cause bodily harm (and causing bodily harm up until certain statutory thresholds are met) is generally only chargeable as a misdemeanor.

In other words, it is a felony to attempt to steal items from someone's garage but only a misdemeanor to break in to their house or apartment to try or begin to beat them up. For general reference, the Brown County District Attorney estimates that his office is limited to charging a lesser penalty for attempted batterers under this scenario at least 5 to 10 times every year.

Assembly Bill 65 provides a common-sense fix to remove the disproportionate treatment of property crimes over crimes against bodily security by raising the penalty for entering with intent to commit battery to also be a Class F Felony. This legislation has passed committees and in both chambers in multiple sessions, as well as the full State Assembly and Senate in multiple sessions.

Thank you for your consideration of Assembly Bill 65. I'm happy to answer any questions.



April 9, 2025

To: Chairman Spiros and Members of the Assembly Committee on Criminal Justice and Public Safety

From: Wisconsin Chiefs of Police Association

Re: Support Assembly Bill 65- Entering with Intent to Commit Battery

Chairman Spiros, thank you for your willingness to hold a hearing on this legislation. We would also like to thank the authors, Representative Jacobson and Senator Jacque, for introducing this bill.

We urge support of Assembly Bill 65.

Under current law it is a Class F felony to intentionally enter a dwelling or certain other places without consent to commit a burglary with intent to steal or commit a felony. Under current law, such a burglary is a Class E felony if certain additional circumstances apply.

The penalty for a Class F felony is a fine not to exceed \$25,000 or imprisonment not to exceed 12 years and six months, or both, and the penalty for a Class E felony is a fine not to exceed \$50,000 or imprisonment not to exceed 15 years, or both.

Under this bill, it is also a Class F felony, or a Class E felony if certain additional circumstances apply, to intentionally enter a dwelling or certain other places without consent to commit battery.

This bill is drafted to mirror the penalties for entering a dwelling with the intent to commit battery – to the penalty for entering a dwelling to commit burglary.

Our association constantly looks for ways to help ensure that our communities are safe. We believe this is common sense legislation ensuring that action is taken when a battery is committed.

The Wisconsin Chiefs of Police Association supports this legislation and asks that the committee move forward on this legislation.

We would be happy to answer any questions regarding this legislation.